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Shellfish—Production and Sale of. (Act, Chap. 146, Oct. 15, 1911.)

1. It shall be the duty of the Board of Health of the State of New Jersey to inspect, or cause to be inspected, as often as said board may deem necessary, the various oyster and clam beds and other places within the jurisdiction of or forming a part of the State of New Jersey from which oysters, clams or other shellfish are taken to be distributed or sold for use as food, for the purpose of ascertaining the sanitary conditions of such oyster and clam beds and other places, and the fitness of the oysters, clams or other shellfish in such places, or which are taken therefrom, for use as food.

2. If the State board of health discovers that any oyster or clam bed, or other place from which oysters, clams or other shellfish are or may be taken for use as food, is subject to pollution, or to any other condition which may render the oysters, clams or other shellfish in such places, or which may be taken therefrom, dangerous to health, it shall be the duty of said board to immediately condemn such oyster or clam bed or other place, and to prohibit the taking of oysters, clams or other shellfish from such places for distribution or sale as food, and also to prohibit the sale, distribution, offering for sale or having in possession with intent to distribute or sell any such oysters, clams or other shellfish.

3. For the purpose of this supplement, the distribution, sale, offering for sale, or having in possession with intent to distribute or sell any oysters, clams or other shellfish shall be *prima facie* evidence that such oysters, clams or other shellfish were intended for use as food.

4. Any person who shall gather with intent to sell or distribute for use as food any oysters, clams or other shellfish from any oyster or clam bed or other place which has been condemned by the Board of Health of the State of New Jersey, in accordance with the provisions of section 2 of this supplement, or any person who shall distribute, sell, offer or expose for sale, or have in his possession with intent to distribute or sell any oysters, clams or other shellfish taken from any oyster or clam bed or other place which has been condemned by said board, shall be liable to a penalty of \$100, such penalty to be recovered by an action of debt by and in the name of the Board of Health of the State of New Jersey in the manner prescribed for the recovery of penalties in the act to which this is a supplement.

5. Whenever any person shall violate any of the provisions of this supplement, it shall be lawful for the Board of Health of the State of New Jersey, either before or after the institution of proceedings for the collection of the penalty imposed by this supplement for such violation, to file a bill in the court of chancery in the name of the State, at the relation of said board, for an injunction to restrain such violation and for such other and further relief in the premises as the court of chancery shall deem proper, but the filing of such bill, nor any of the proceedings thereon, shall not relieve any party to such proceedings from the penalty or penalties prescribed by this supplement for such violation.

6. An act entitled "A further supplement to an act entitled 'An act for the preservation of clams and oysters,' approved April 14, 1846," approved April 6, 1910, be and the same is hereby repealed.

Mental Deficiency and Epilepsy—Reporting of Cases of. (Act, Chap. 182, Mar. 27, 1912.)

1. Every physician shall report each case of mental deficiency or epilepsy to the assessor of the township in which such case may be; if such case be within the limits of the jurisdiction of any local board of health other than the local board of health of any township, then such physician shall report such case to the secretary of the local board of health having jurisdiction over the territory within which such case may be, if such board has a secretary; if such board has no secretary, then to the clerk of such board: *Provided, however,* That any local board of health may designate some

officer of such board, other than the clerk, secretary, or township assessor, to receive such reports, in which case all such reports shall be made to such officer; such reports shall be in writing, signed by such physician, and shall set forth the name, age, and precise location of the person mentally deficient or having epilepsy.

2. Every medical inspector of schools who has reason to believe that any person receiving instruction in the school under his or her supervision is affected as above mentioned shall report the case in writing to the same person and in the same manner as any physician attending such person affected would be required to do so as hereinabove set forth.

3. On the 30th day of June and the 31st day of December in each and every year every physician or medical inspector making any report or reports as in this section required shall receive from the local board of health, to the designated officer of which board such report or reports shall have been made during the preceding six months, a certificate in writing, setting forth the number of names of persons reported to have been affected with the hereinabove specifically named defects, which certificate, when presented by such physician or medical inspector to the proper disbursing officer of the city, borough, town, or township in which such affected persons may have been resident, shall entitle such physician or medical inspector to receive from such disbursing officer the sum of 10 cents for each and every name by such certificate certified to have been reported, unless such notification shall be found to have been erroneous, and any physician or medical inspector of schools who shall wilfully fail to perform the above-mentioned duty at the time and in the manner above provided shall be liable to a penalty of \$50 for each failure.

4. The facts contained in every report filed pursuant to the provisions of the first section of this act shall be entered by the officer to whom the same shall be delivered in a book kept exclusively for that purpose, which book shall be subject to the inspection of the local board of health and its proper officers and to the State board of health and its officers only. The officer to whom such report shall be delivered, and whose duty it is to make record of the same, as in this section above set forth, shall also, at least once a month, transmit in duplicate the facts stated therein by mail to the secretary of the Board of Health of the State of New Jersey, and shall, upon request by the said State board of health, or any of its officers, give full information regarding the case. Any officer whose duty it is to make any report to said State board of health or the secretary thereof, as in this section above provided, and who wilfully fails to perform such duty at the time and in the manner above provided, shall be liable to a penalty of \$50 for each and every such failure of duty. The fact that the secretary of said State board of health has not received the report before mentioned after one notification of such delinquency to any such officer shall be prima facie evidence that such facts and information have not been transmitted to said secretary by such officer. Every officer whose duty it is to receive the reports mentioned in section 1 of this act shall, during the month of October of each year, upon presentation of a certificate signed by the secretary of the State board of health stating the whole number of such cases reported as aforesaid from each municipality or township by such officer to the State board of health during the preceding year, be entitled to receive from the proper disbursing officer of the township, city, borough, town, or other local municipal government within the limits of which the affliction so reported occurred the sum of 10 cents for each case reported, as aforesaid, to the secretary of the State board of health: *Provided, however,* That such officer shall not be entitled to any payment for or on account of any such case unless report of such case was received by the secretary of the said State board of health within 10 days after the date such said case was reported to the officer transmitting the same, and no such case shall be included in such certificate unless so received. Such certificates shall be sent to the officers above mentioned during the month of October of each year.

5. The duplicate report mentioned in section 4 shall be transmitted by the secretary of the Board of Health of the State of New Jersey at least once a month to the

commissioner of charities and corrections. Every person afflicted with the aforementioned defects, or either of them, shall be deemed to be under the guardianship of the commissioner of charities and corrections, who may, if in his judgment necessity requires, make legal commitment of such persons to the proper institutions of this State, or, in lieu thereof, supervise the care and treatment of such persons.

Guardianship under this act shall be construed to mean the supervision of the commissioner of charities and corrections over such afflicted persons within this act, and shall be exercised for the purpose of enforcing proper care and discipline over such afflicted persons.

Advice upon any questionable or extreme cases or for any other information necessary to make proper diagnosis shall be given by specialists at the request of the department of charities and corrections in the interest of the welfare of the State and its deficient.

6. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Occupational Diseases—Reports of Cases of. (Act, Chap. 351, Apr. 1, 1912.)

1. Every physician attending upon or called in to visit a person whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, or mercury, or their compounds, or from anthrax, or from compressed-air illness, contracted as a result of such person's occupation or employment, shall within 30 days after his first professional attendance upon such person send to the State board of health a written notice, stating the name and full post-office address and place of employment of such person, and the nature of the occupation, and the disease or ailment from which, in the opinion of such physician, the person is suffering, with such other specific information as may be required by the State board of health.

2. Any physician who shall fail to perform the duty imposed by section 1 of this act within the time therein limited shall be liable to a penalty of \$25 for each offense. Any penalty incurred under the provisions of this act shall be sued for and recovered in an action of debt by and in the name of the board of health of the State of New Jersey. All penalties collected under this act shall be paid by said board into the treasury of the State of New Jersey.

3. It shall be the duty of the board of health of this State to enforce the provisions of this act, and it may call upon the local boards of health and health officers of such local boards of health for assistance. It shall be the duty of all local boards of health and all health officers, when so called upon for such assistance, to render the same. It shall be the duty of the said board of health of this State to transmit any data received under the provisions of section 1 of this act to the commissioner of labor of this State.

Ophthalmia Neonatorum—Cases of, to be Reported. (Reg. St. Bd. of H., Aug. 6, 1912.)

Resolved, That in accordance with the provisions of chapter 381 of the laws of 1911, which empower the State board of health to require, in addition to the diseases named in the act, the reporting of "any other contagious or communicable disease which may hereafter be publicly declared by the State board of health to be preventable and specially dangerous to the public health;" the State board of health does hereby declare *Ophthalmia neonatorum* to be preventable and specially dangerous to the public health, and physicians shall report cases of the disease coming under their professional supervision to local boards of health in accordance with the requirements of chapter 381 of the laws of 1911.

Physicians in attendance upon cases of *Ophthalmia neonatorum* will now be required to report such cases to the local boards of health and local boards to forward duplicates of the physicians' reports to the State board of health.